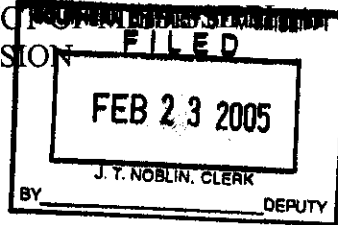


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:04cr26WSu

RUSSELL MONTAGUE

ORDER AMENDING CRIMINAL INDICTMENT

THIS CAUSE having come on before the Court on motion of the Government to amend the criminal indictment, and the Court being advised that said Amendment has been agreed to by the defendant, and being otherwise fully advised in the premises, finds that said Motion is well-taken and the same should be and is hereby granted. It is therefore

ORDERED AND ADJUDGED that on agreement of the parties, the criminal indictment in this cause is hereby amended to delete in **Count 6**, the phrase, "that is, a Phoenix Firearms Inc., (d/b/a MK Arms) 9mm machinegun, serial number MK 1058".

SO ORDERED AND ADJUDGED this the 23rd day of February, 2005 ~~December, 2004.~~


HENRY T. WINGATE
CHIEF U.S. DISTRICT JUDGE